GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - MA & UD Department - Disciplinary proceedings initiated against Sri PVVS Murthy, former Municipal Commissioner, Proddatur Municipality under Rule-20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Inquiry conducted - Penalty of withholding of two (2) Annual Grade Increments without cumulative effect - Imposed - Orders Issued.

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.III) DEPARTMENT

G.O.RT.No. 824 **Dated: 16-10-2024**

Read the following:-

1. From GA (V&E) Dept., Vigilance Report No.102 (C.No.317/D1/V&E/2011), dt.06.09.2013.
2. From the DTCP, Lr.RoC No.1640/2014/V.cell, dt.28.03.2021 & 05.07.2021.
3. G.O.Rt.No.676, MAUD (Vig.III) Dept., dt.01.12.2021.
4. Served Copy of Charge Memo to the charged officer.
5. G.O.Rt.No.633, MA&UD (Vig.III) Dept., dt.26.08.2022.
6. From Inquiry Officer Letter Rc.No.AC. Peshi-5581/2022, dt.14.03.2023.
7. Govt. Memo No.25680/Vig.III-2/2013, Dt.12.06.2023.
8. Written Representations of Sri PVVS Murthy, former MC, Proddatur Municipality, dt.19.08.2023.

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ORDER:

Based on the report of Director General (V&E) in the reference 1st read above and after obtaining the article of charges from the Director of Town & Country Planning in the reference 2nd read above, disciplinary proceedings have been instituted against Sri PVVS Murthy, former Municipal Commissioner, Proddatur Municipality, in terms of Rule 20 of APCS (CC&A) Rules, 1991, for committing certain irregularities in allowing unauthorised constructions and failed to initiate any action on the violation and deviations to the approved plans with regard to setbacks in the building constructions in and around the Proddatur Municipality vide reference 3rd read above.

2. Government, after following due procedure, appointed an Inquiring Authority to inquire into the charges framed against the charged officers, vide reference 5th read above.

3. In the reference 6th read above, the Inquiry Officer submitted inquiry report duly stating that all (5) charges against Sri PVVS Murthy former MC, Proddatur Municipality were held not proved in the inquiry.

4. Government have examined the findings of inquiry officer and it is observed that the deviation portions in the buildings will not take place with short time. If the MC/executive authority has monitored the unauthorized constructions regularly/periodically during his tenure, the question of building deviations/allowing unauthorized constructions does not arise. The Executive authority cannot escape from his duties by throwing the entire responsibilities on town planning staff. The BPS Scheme was introduced by the Government for giving affordable final opportunity to the deviated building owners and to bring the unauthorized constructions in one planning fold only and not for ULB Staff. The MC/charged officer cannot escape from his legitimate duties under the guise of the BPS Scheme/regularizing building. Hence, the MC/charged officer has failed to discharge his legitimate duties. The Charged Officer, being executive authority of the ULB has to make regular inspections monitoring town planning staff to avoid to crop up the unauthorized constructions in his jurisdiction. But, he has not made any efforts to do so by keeping his supervisory nature of duties. Hence, being a Government servant/executive authority of ULB, he had failed to discharge his legitimate duties properly. The IA without considering the above facts, simply concluded that the

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charges against Sri PVS Murthy are held not proved in the Inquiry. Hence, the findings of IA disagreed in respect of Sri PVVS Murthy, former MC, Proddatur Municipality. Accordingly, a copy of inquiry report along with above disagreement factors was communicated to the above Charged Officer to offer his written representation in terms of Rule 21(2) of APCS (CC&A) Rules, 1991, vide reference 7th read above.

5. In the reference 8th read above, the above Charged Officer, has submitted his written representation. Among others, he has stated that the Town Planning Section is exclusively intended for the overall supervision and enforcement of building regulations. The aspect of deviations are majorly fall within the purview of Town Planning Wing. As and when the deviations are noticed/brought to his notice, he issued notices and penalized the violators and also regularized the deviated buildings. The Commissioner plays a pivotal role in revenue collection and to engage in multifarious tasks including drinking water, sanitation and other public health activities. Hence, he has requested to drop further action against him; keeping in view the findings of inquiring authority.

6. Government have examined the written representation of the charged officer; keeping in view of the findings of Inquiring Authority along with disagreement factors and decide to impose a penalty of withholding of two (2) Annual Grade Increments without cumulative effect against Sri PVVS Murthy, former Municipal Commissioner, Proddatur Municipality, since he failed to discharge his legitimate duties properly, not made any efforts but thrown responsibilities on Town Planning Staff for which he failed in supervisory duties.

7. Accordingly, Government hereby impose a penalty of withholding of two (2) Annual Grade Increments without cumulative effect against Sri PVVS Murthy, former Municipal Commissioner, Proddatur Municipality, under Rule 9 of the APCS (CC&A) Rules, 1991.

8. The Director of Municipal Administration, AP Vaddeswaram shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ANIL KUMAR SINGHAL
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri PVVS Murthy, former Municipal Commissioner, Proddatur Municipality **through** DMA, AP, Vaddeswaram.
The Director of Municipal Administration, AP Vaddeswaram
The Director of Town & Country Planning, AP, Mangalagiri.

Copy to:

The Secretary, APVC.
The RDMA, Anantapuramu.
The Commissioner, Proddatur Municipality.
Sf/Sc (E 1213965).

// FORWARDED :: BY ORDER //

SECTION OFFICER